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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,444	05/31/2001	Thomas W. Nickerson	1958.2010-000(OID-2001-02	8887

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EXAMINER

AVELLINO, JOSEPH E

ART UNIT PAPER NUMBER

2143

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/871,444	Applicant(s) NICKERSON, THOMAS W.	
	Examiner Joseph E. Avellino <i>A</i>	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 26 and 27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-27 are pending in this examination; claims 1, 7, 13, 19, and 25-27 independent. Claims 26 and 27 are withdrawn from consideration as being drawn to a nonelected invention.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 6-10, 12-16, 18-22, and 24-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Stedman et al. (USPN 5,968,119) (hereinafter Stedman).

3. Referring to claim 1, Stedman discloses a method for displaying dynamic page content in a page-caching browser capable of loading content for display from a cache, the method comprising:

specifying an address to stored content at a source (i.e. URL/hyperlink) (col. 18, lines 38-53);

appending a unique identifier to the address, the appended identifier being unique for each request of the content (i.e. unique for each hyperlink on each page), the

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unique identifier preventing the browser from loading the content from a cache (col. 18, line 55 to col. 19, line 9);

transmitting a content request with the address and the appended identifier to retrieve the stored content from the source regardless of whether the browser is configured to load content from the cache (the browser never finds the selected URL within its disk cache) (col. 18, line 55 to col. 19, line 9).

4. Referring to claim 2, Stedman discloses the address includes a URL to content (col. 18, lines 38-53).

5. Referring to claim 3, Stedman discloses the address includes a query string, the unique identifier appended to the address in the query string (an HTTP GET command, which is used in Stedman to retrieve the resource identified by the URL is inherently a query string, since it queries the server to determine if the resource is there, and if so, returns the resource, and if not, returns an HTTP error message) (col. 18, line 55 to col. 19, line 9).

6. Referring to claim 4, Stedman discloses the unique identifier is a random number (i.e. session ID + unique ID) (col. 18, lines 55-67).

7. Referring to claim 6, Stedman discloses the unique identifier is an alpha-numeric representation (the unique ID is 68583D, which is an alpha-numeric representation) (col. 18, lines 55-67).

8. Claims 7-10, 12-16, 18-22, and 24-25 are rejected for similar reasons as stated above.

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 11, 17, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stedman in view of Lambert et al. (US 2002/0038350) (hereinafter Lambert).

10. Referring to claim 5, Stedman discloses the invention substantively as described in claim 1. Stedman does not specifically state the unique identifier is a timestamp. In analogous art, Lambert discloses another method for displaying dynamic page content wherein the unique identifier is a timestamp (p. 11, ¶ 230). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the

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teaching of Lambert with Stedman in order to generate what appears to be a unique marker reference for each access of the markers, seen by the caching software as a unique URL as supported by Lambert (p. 11, ¶ 230) and is also supported by Stedman stating that the unique identifiers ensure that the web browser never finds the selected URL in the disk cache (p. 19, lines 5-10).

### ***Response to Amendment***

11. The Office acknowledges the amendments to claims 1, 7, 13, 19, and 25-27.

### ***Response to Arguments***

12. Applicant's arguments filed November 26, 2004 have been fully considered but they are not persuasive.

13. Applicant argues, in substance, that (1) the restriction is improper since both claim sets are directed to displaying dynamic page content in a page-caching browser, (2) Rosenberg does not teach appending an identifier to an address to prevent loading the content from cache, and (3) Mann does not make up for the deficiencies of Rosenberg since Man does not disclose appending an identifier to an address to prevent loading the content from cache.

14. As to point (1) restriction is proper to reasons outlined in the previous Office Action dated August 26, 2004 and as stated below.

15. Claims 1-25 (Group I) are directed towards a method for displaying dynamic page content in a page-caching browser capable of loading content for display from a cache, the method comprising specifying an address to stored content at a source, appending a unique identifier to the address, the appended identifier being unique for each request of the content, the unique identifier preventing the browser from loading the content from a cache, and transmitting the content request with the address and the appended identifier to retrieve the stored content from the source regardless of whether the browser is configured to load content from the cache. Claims 26-27 (Group II) are directed towards a client coupled to a cache, the client capable of loading content for display from the cache, the client loading stored content requested from a source with an address and a unique identifier appended to the address regardless of whether the browser is configured to load content from the cache, the appended identifier being unique for each request of the stored content, and *the cache storing versions of content having the same address but different unique identifiers*. Restriction is proper since the claims of Group I require a search of class 711, subclass 138, which is not required for Group II. Restriction is proper since the claims of Group II require a search of class 707, subclasses 201-204, which is not required for Group I. While the search for both Group I and Group II may be overlapping, it is not believed to be coextensive. By this rationale, the restriction is maintained.

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16. As to points (2) and (3) they are considered moot in view of the new grounds of rejection presented above and necessitated by Applicant's amendment.

### ***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

18. Periyannan et al. (USPN 6,587,928) discloses scheme for segregating cacheable and non-cacheable by port designation.

19. Yacoby et al. (USPN 6,516,311) discloses linking on the Internet with an advertising feature.

20. Stedman et al. (USPN 6,122,661) discloses accessing information on a host computer from a client computer.

Again, it is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to continue to claim as broadly as possible their invention. It is also the Examiner's right to continue to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique. As it is extremely well known in the networking art as already shown by Stedman and other prior arts of records disclosed, for displaying dynamic page content



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in a page-caching browser as well as other claimed features of Applicant's invention.

Thus, it is clear that Applicant must submit amendments to the claims in order to distinguish over the prior art use in the rejection that discloses different features of Applicant's claim invention.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JEA  
March 15, 2005



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